IN THE HIGH COURT OF JUDICATURE AT BOMBAY

APPELLATE SIDE

CRIMINAL APPLICATION NO. 4226 OF 2004

IN

CRIMINAL APPEAL NO. 1050 OF 2004

Raju Kisan Jadhav .. Applicant

versus

The State of Maharashtra .. Respondents

...

Mr.Madhav J. Jamdar for the applicant.

Mr.D.P. Adsule, APP for the State.

CORAM : V.M. KANADE, J

DATED : 29th October 2004.

P.C:-

1. Heard the learned counsel appearing on behalf of the applicant and the learned APP appearing on behalf of the State.

2. The applicant is convicted u/s.498A and 306 of the IPC and is sentenced to suffer RI for three

months. The prosecution case is that the accused used to harass his wife and was also an alcoholic. The prosecution case is that on the date of the incident, the applicant after consuming alcohol harassed the deceased and out of frustration, she poured kerosene on herself and set herself on fire. The applicant extinguished his fire and took her to the hospital. Further, she succumbed to the burn injuries and died. The accused appellant was suffered 25% burn injuries in the process of saving her. In the dying declaration, it is recorded by the Special Executive Magistrate she has stated that out of frustration she had set herself on fire.

3. The applicant is in jail since 31st January 2002. In my view, this is a fit case for grant of bail. The applicant is released on bail in the sum of Rs.5,000/- with one or two sureties in the like amount.

4. Parties to act on a copy of this order duly authenticated by the Court Sheristedar.

V.M.KANADE, J